

**HOGAN & HARTSON L.L.P.**500 SOUTH GRAND AVENUE  
SUITE 1900  
LOS ANGELES, CA 90071**RECEIVED**  
**CENTRAL FAX CENTER**Tel.: (213) 337-6700  
Fax: (213) 337-6701

JUL 19 2005

WASHINGTON, DC  
BRUSSELS  
BUDAPEST\*  
LONDON  
MOSCOW  
PARIS\*  
PRAGUE\*  
TOKYO  
WARSAW  
BALTIMORE, MD  
BOULDER, CO  
COLORADO SPRINGS, CO  
DENVER, CO  
IRVINE, CA  
McLEAN, VA  
MIAMI, FL  
NEW YORK, NY (PARK AVE)  
NEW YORK, NY (THIRD AVE)  
ROCKVILLE, MD

\*Affiliated Office

**IMPORTANT NOTICE**  
**TELECOPY/FACSIMILE COVER LETTER**TO: U.S. Patent and Trademark Office  
Examiner: Christopher H. Yaen  
Art Unit: 1642DATE: July 19, 2005FROM: Lawrence J. McClure

TIME: \_\_\_\_\_

TOTAL NO. OF PAGES, INCLUDING COVER: 7

The attached information is **CONFIDENTIAL** and is intended only for the use of the addressee(s) named above. If the reader of this message is not the intended recipient(s) or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any dissemination, distribution or copying of this communication is strictly prohibited. Anyone who receives this communication in error should notify us immediately by telephone and return the original message to us at the above address via the U.S. Mail.

**MESSAGE:**

RE: U.S. Patent Application Serial No.: 09/872,165; Our Ref. 89188.0011

I hereby certify that the following documents:

- Notice of Appeal
- Petition for Extension of Time (3 months)

are being facsimile transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, for filing in the above application.

July 19, 2005  
Date of Deposit  
Diane ZynnTELECOPY/FAX NUMBER: 571-273-8300 Art Unit 1642CLIENT NUMBER: 89188.0011ATTORNEY BILLING NUMBER: 1966CONFIRMATION NUMBER: (please return fax to Diane Zynn)

RECEIVED  
CENTRAL FAX CENTER

JUL 19 2005

PATENT  
89188.0011

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Peter C. Brooks *et al.*  
Serial No: 09/872,165  
Filed: June 1, 2001  
For: NOVEL METHOD AND  
COMPOSITION FOR  
INHIBITION OF  
ANGIOGENESIS AND TUMOR  
GROWTH USING COMPOUNDS  
BASED ON A SEQUENCE  
WITHIN MMP-2

Art Unit: 1642  
Examiner: Christopher H. Yaen

I hereby certify that this correspondence  
is being transmitted via facsimile to  
(571)273-8300:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450 on

July 19, 2005  
Date of Deposit

Diane Zynn

Name

Signature

07/19/05  
Date

**NOTICE OF APPEAL FROM THE PRIMARY  
EXAMINER TO THE BOARD OF APPEALS**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated January 19, 2005 of the Primary Examiner finally rejecting claims 1-5 and 36-45. The item(s) checked below are appropriate:

1. ☒ A 3-month extension of time to respond to the final rejection is hereby requested under 37 C.F.R. § 1.136 is enclosed with the proper fee.
2. ☒ A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
3. The application is on behalf of

☒ a small entity

Applicants claims small entity status.

☐ other than a small entity.

07/21/2005 MBINAS 00000043 501314 09072165

01 FC:2401 250.00 DA

Appl. No. 09/872,165

Attorney Docket No. 89188.0011

Customer No.: 26021

☒ Fee ☒ \$250 ☐ \$500

☐ enclosed.

☐ not required (fee paid in prior appeal).

☒ charged to Deposit Account No. 50-1314 if any additional fees are required.

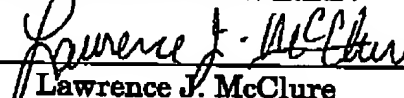
(An additional copy of this Notice is enclosed.)

Respectfully submitted,

HOGAN & HARTSON L.L.P.

Date: July 19, 2005

By:

  
Lawrence J. McClure  
Registration No. 44,228  
Attorney for Applicant(s)

500 South Grand Avenue, Suite 1900  
Los Angeles, California 90071  
Phone: 213-337-6700  
Fax: 213-337-6701